

REMARKS

Claims 1-52 are pending in the application. Claims 1, 15, 29 and 41 are the independent claims. With the foregoing claim amendments, Claims 6, 20, 33 and 45 are now cancelled in favor of the respective base Claims 1, 15, 29 and 41. No new matter is introduced. Acceptance based on the following arguments is respectfully requested.

Claims 1, 2, 4, 6-9, 12, 14-16, 18, 20-23, 26, 28-29, 31, 33-36, 39, 41, 43, 45-48 and 51 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Bezos et al. (U.S. Patent No. 6,029,141).

Briefly, in many instances, a hyperlink is intended to bring an end user from a web page on one (e.g., an affiliate's) web site to a web page owned by another (e.g., a merchant). In the process of bringing the end user to the hyperlink's destination, some additional information may be transmitted from the end user's computer to a merchant or a third party. This transmission of information is controlled by the code implementing the hyperlink on a web page. The information thus transmitted may be used for accounting purposes, for collecting statistics about the end user's actions on the network or to facilitate a commercial transaction between the end user and a merchant (e.g., a purchase). Clearly it is important that the proper code is used in the hyperlink. Human errors (e.g., a mistake in a single character in the code) are highly probable without automated web development tools.

The present invention allows a vendor's program to automate creation of hyperlinks by accessing a hyperlink database. In a preferred embodiment illustrated in Fig. 1 of the subject patent application, the hyperlink database 30 stores various reformatted (generally error free) hyperlink code in HTML format and image representations for hyperlinks to respective merchants' web pages. The hyperlink database subsystem 31 is a part of a computer system 21 capable of receiving data requests 26 and transmitting the resulting data (desired hyperlink code and the like) 27 over a network 28. In particular, computer system 21 is coupled for communications across network 28 to a vendor's web development tool 24 running on a client computer 20. During the design of a web page 23, the web development tool 24 invokes an application program interface (API) 22 to generate the data request 26 and to receive the resulting responses 27 (e.g., hyperlink code extracted from hyperlink database 30). Thus, the API 22

enables web development tools 24 to interact directly with the hyperlink database subsystem 31 to create hyperlinks on web pages 23 under design/construction.

As such, the invention API 22 benefits affiliates and vendors by allowing seamless integration of link creation into web development tools 24. The invention API 22 also benefits merchants by offering an easier and more accurate alternative for their affiliates to create the desired links on subject web pages 23. Thus, a key aspect of the present invention is that a response to a request (eventually a database query) includes code data necessary to execute a desired hyperlink. This aspect is now recited in each of the base Claims 1, 15, 29 and 41 as now amended with the language "...in response to said request, receiving a response comprising at least one of:...data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink.(emphasis added)"

Support for the foregoing is found at least on Specification page 5, line 21 through page 6, line 7 and page 6, line 25 through page 7, line 16 as well as in originally filed Claims 6, 20, 33 and 45.

On the other hand, the U.S. patent to Bezos et al. is cited as disclosing that a customer referral system sends instructions to the user that indicate how to create referring links on the associate web page. Such instructions do not meet the claim limitation of comprising "code data necessary to execute each said hyperlink". This "code data" claim limitation is recited in each of the independent Claims 1, 15, 29 and 41 as now amended. Claims 2, 4, 6-9, 12 and 14 depend from base Claim 1 and thus inherit this claim limitation. Claims 16, 18, 20-23, 26 and 28 depend from base Claim 15 and thus inherit this claim limitation. Claims 31, 33-36 and 39 depend from base Claim 29 and thus inherit this claim limitation. Similarly, Claims 43, 45-48 and 51 are dependent from base Claim 41 and thus inherit this claim limitation. As such, the invention of each of these claims is not believed to be anticipated by Bezos et al. and thus the § 102(e) rejection of these claims is believed to be overcome.

Claims 3, 17, 30 and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bezos in view of Perri, III et al. (U.S. Patent Application Publication No. US2001/0020231). Claims 3, 17, 30 and 42 are dependent from independent Claims 1, 15, 29 and 41 respectively. Thus the foregoing arguments apply here.

Perri, III et al. does not add to Bezos the response comprising "...data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink" as recited in the base claims as now amended. Thus no combination of Bezos and Perri, III make obvious the present invention as claimed in Claims 3, 17, 30 and 42 which inherit the "code data" limitation from respective base claims. Thus withdrawal of the rejection of these claims under § 103(a) is respectfully requested.

Claims 5, 19, 32 and 44 have been rejected under U.S.C. § 103(a) as being unpatentable over Bezos et al. in view of Vange et al. (U.S. Patent Application Publication No. 2002/0004796). Claims 5, 19, 32 and 44 depend from base Claims 1, 15, 29 and 41 respectively. Thus the arguments above regarding Bezos' lack of a response including "code data necessary to execute each said hyperlink" apply here. Vange et al. does not add to Bezos the limiting claim language "...code data necessary to execute each said hyperlink." Thus no combination of Bezos and Vange make the invention of Claims 5, 19, 32 and 44 obvious. Withdrawal of the § 103(a) rejection of Claims 5, 19, 32 and 44 is respectfully requested.

Claims 10, 11, 24, 25, 37, 38, 49 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bezos in view of Amazon.com as published on October 13, 1999. Claims 10 and 11 depend from base Claim 1. Claims 24 and 25 depend from base Claim 15. Claims 37 and 38 depend from base Claim 29. Claims 49 and 50 depend from base Claim 41. Thus the above arguments against Bezos in view of base Claims 1, 15, 29 and 41 apply here. The Amazon.com reference does not add to Bezos et al. the receiving of a response comprising "...data necessary for generating at least one hyperlink, wherein said data necessary for generating said at least one hyperlink comprises code data necessary to execute each said hyperlink" as now recited in base Claims 1, 15, 29 and 41 as now amended. Thus no combination of Bezos and the Amazon.com reference is believed to make obvious the present invention of Claims 10, 11, 24,

25, 37, 38, 49 and 50. Withdrawal of the § 103(a) rejection of these claims is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all pending claims (Claims 1-5, 7-19, 21-32, 34-44 and 46-52) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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